

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIMEKA SIMMONS, et al.,

Plaintiffs,

v.

BAUER RENTALS, et al.,

Defendants.

Case No. 1:23-cv-00523-JLT-SAB

ORDER SETTING SETTLEMENT
CONFERENCE AND SETTLEMENT
INSTRUCTIONS

Date: **January 23, 2025**

Time: **9:30 AM**

Courtroom: Courtroom 8 (BAM)

This case is SET for a Settlement Conference on **January 23, 2025, at 9:30 AM in Courtroom 8 (BAM)** before the undersigned. The attorneys who will try the case along with the parties and the person or persons having full authority to negotiate and settle the case, on any terms, shall appear **via Zoom** at the conference.

Counsel for the parties shall contact Courtroom Deputy Esther Valdez at (559) 499-5788 or evaldez@caed.uscourts.gov for the video and dial-in information for all parties.

No later than **seven (7) days** prior to the settlement conference, each party shall submit directly to Judge McAuliffe's chambers at bamorders@caed.uscourts.gov, a confidential settlement conference statement. This statement should neither be filed with the clerk of the Court nor served on any other party. Each statement shall be clearly marked "CONFIDENTIAL" with the date and time of the mandatory settlement conference indicated prominently.

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1 The settlement statement should not be lengthy but shall include a brief recitation of the
2 facts, a discussion of the strengths and weaknesses of the case, an estimate of the cost and time
3 to be expended for further pretrial and trial matters, and the relief sought. The parties are also
4 directed to include a candid statement on the party's position on settlement, including the
5 amount which the party will accept to settle, realistic settlement expectations, present
6 settlement proposals, and a history of past settlement discussions, offers, demands, and a report
7 on settlement efforts to date.

8 This Court will vacate the settlement conference if the Court finds the settlement
9 conference will be neither productive nor meaningful to attempt to resolve all or part of this
10 case. As far in advance of the settlement conference as possible, a party shall inform the Court
11 and other parties that it believes the case is not in a settlement posture so the Court may vacate
12 or reset the settlement conference. Otherwise, the parties shall proceed with the settlement
13 conference in good faith to attempt to resolve all or part of the case.

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15 IT IS SO ORDERED.

16 Dated: December 3, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE